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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,253	08/21/2001	James B. Gould	2003680-0001	6535

7590 03/30/2004  
John A. Hamilton, III  
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53 State Street  
Exchange Place  
Boston, MA 02109

EXAMINER
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SHERR, CRISTINA O

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/934,253

Applicant(s)

GOULD, JAMES B.

Examiner

Cristina O Sherr

Art Unit

3621

ML

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12 April 2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This communication is in response to the application filed 21 August 2001.

Claims 1-16 have been examined.

***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 12 April 2002 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

***Specification***

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacNaughton et al (US 5,796,393A) in view of Lauffer (US 6,223,165B1).

6. Regarding claims 1, 2 and 3 –

Lauffer discloses a method of generating revenue online, comprising the steps of providing a secure and privacy protected Internet accessible web site to an online community having members with an interest in a particular professional association,

wherein the members comprise potential customers with whom the entities may develop personal relationships; and selling to one or more entities the right for a predetermined amount of time to provide to the members expertise related to the professional association via the online community; further allowing two or more parties to network, the method comprising the steps of providing a secure and privacy protected Internet accessible web site for an online community dedicated to a professional association; soliciting one or more persons to become members of the online community; providing secure and anonymous access to persons selected for free membership to the Internet site; and exchanging for value with one or more sponsors a right to provide expertise related to the professional association via the online community for a predetermined amount of time (col 4 ln 26 – col 5 ln 10).

7. Regarding claim 4-9 –

Lauffer discloses the method of claims 1 or 3, wherein the right to provide expertise is an exclusive right provided to one sponsor; wherein the professional association comprises a professional discipline; wherein the professional association comprises a non-profit entity; wherein the professional association comprises a for-profit entity; wherein further comprising the step of selecting persons for admission as members based upon the recommendation of previously admitted members and additional screening criteria; wherein the additional screening criteria includes membership in the professional association (col 5 ln 12 – col 6 ln 28).

8. Regarding claim 10-16 –

MacNaughton discloses the method of claims 1 or 3, wherein the predetermined amount of time is at least three months; wherein providing expertise includes abstaining from overt marketing practices targeting the members; wherein providing expertise includes responding to members' questions in a dedicated discussion thread accessible to all members; wherein providing expertise includes making available a knowledgeable person to respond to members' questions via the telephone; wherein providing expertise includes hosting a live online chat conference on a particular topic of interest to the members; wherein the members may optionally provide their personal information to other members or sponsors in the online community; and further comprising the step of sharing with the professional association the exchanged-for value obtained from the one or more sponsors (col 3 ln 8 – col 4 ln 56).

9. It would be obvious to a practitioner of ordinary skill in the art to combine the teachings of Lauffer and MacNaughton in order to make a more user-friendly method of generating income online.

10. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

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***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina O Sherr whose telephone number is 703-305-0625. The examiner can normally be reached on Monday through Friday 8:30 to 5:00.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

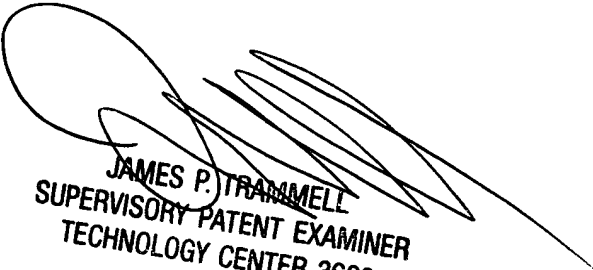
13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SUPERVISORY PATENT EXAMINER  
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